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June 9, 2019

VIA ECF

The Honorable Nicholas G. Garaufis  
United States District Judge  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Keith Raniere, 18 Cr. 204 (NGG)

Dear Judge Garaufis:

Defendant Keith Raniere respectfully submits this letter to supplement his June 7, 2019 letter requesting a good faith charge, among others. (Dkt. 692.) In the June 9<sup>th</sup> letter, we requested the good faith defense charge from Sand, *Modern Federal Jury Instructions*. We supplement this to request the following Good Faith charge:

Good faith is a complete defense to the charges in this case. If the defendant believed in good faith that he was acting properly, even if he was wrong or was mistaken in that belief, and even if others were injured by his conduct, there would be no crime.

Therefore, if Mr. Raniere genuinely believed that he was acting properly or that he believed in the truth of representations he made, it does not matter that his conduct was improper or that his representations were untrue.

The burden to establish lack of good faith and criminal intent rests on the Government. The defendant is under no burden to prove his good faith. Rather, the Government is under an obligation to prove bad faith beyond a reasonable doubt. (Adapted from *United States v. Shkreli*, No. 15-cr-637 (KAM), Dkt. 295 at 83 (E.D.N.Y. July 28, 2017); *United States v. Mangano, et al.*, No. 16-cr-540 (JMA) (E.D.N.Y.).)

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Thank you for your consideration.

Respectfully submitted,

/s/  
Marc A. Agnifilo, Esq., *Of Counsel*  
Teny R. Geragos, Esq.

cc: Counsel for the government (via ECF)